

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS

ALEX BRISENO,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No.
	)	
JIJU JOHN, and 2210310 ONTARIO, INC., d/b/a.	)	
DYNAMIC FREIGHT HAULERS	)	
	)	
Defendants.	)	
	)	

**NOTICE OF REMOVAL TO THE UNITED STATES DISTRICT COURT**

Defendants JOHN JIJU incorrectly sued as “Jiju John”, and 2210310 ONTARIO, INC., d/b/a DYNAMIC FREIGHT HAULERS, by and through their attorney, SHIMON B. KAHAN of LaBarge, Campbell, Lyon & Kahan, LLC pursuant to 28 U.S.C. §§ 1332, 1441, 1446, submit their Notice of Removal to this Court from the Circuit Court of Cook County, Illinois to the United States District Court for the Northern District of Illinois, Eastern Division. In support of this Notice of Removal, Defendants state as follows:

1. The case arises out of a motor vehicle accident that occurred on August 5, 2021 in the City of Joliet in Will County, Illinois.
2. In his Complaint, Plaintiff alleges that he suffered injuries and damages of a personal, severe, disabling and permanent nature, which have prevented him from his ability to work and that such damages will continue. [Ex. A, par 12]
3. Plaintiff prays for an amount in excess of \$50,000 in accordance with Illinois pleading requirements. [Ex. A].

4. Removal to federal court based on diversity jurisdiction is proper when there is a “reasonable probability that more than \$75,000 is in controversy.” *See Rising-Moore v. Red Roof Insur. Inc.*, 735 F.3d 813, 815 (7th Cir. 2006).

5. Plaintiff complied with Illinois pleading requirements, which require a plaintiff to assert that his damages are greater or less than a certain amount. In this case, Plaintiff seeks damages in excess of \$50,000 based on claims of injury, past treatment, and future treatment.

6. Based on the allegations in Plaintiff’s Complaint and alleged injuries, there is a reasonable probability that the amount in controversy in this case exceeds \$75,000.

7. Upon information and belief, Plaintiff is a domiciled citizen of the state of Illinois in the city of Palatine, County of Cook, Illinois.

8. Defendant, 2210310 Ontario, Inc., is incorporated in the Province of Ontario, Canada and has its principal place of business in Ontario. It is not a corporate citizen of the state of Illinois.

9. Defendant John Jiju is domiciled in the Province of Ontario, Canada.

10. Both Defendants join in and consent to this removal.

11. For the purposes of determining diversity jurisdiction under 28 U.S.C. § 1332(c)(1), at all relevant times, Plaintiff was a domiciled citizen of Illinois and Defendants were not citizens of Illinois.

12. For the foregoing reasons, this is an action where the United States District Court for the Northern District of Illinois has original jurisdiction, pursuant to 28 U.S.C. § 1332, because the matter in controversy exceeds a value of \$75,000, exclusive of costs and interests, and Plaintiff and Defendants are domiciled citizens of different countries.

13. Diversity jurisdiction exists, and his lawsuit is removed pursuant to 28 U.S.C. §§ 1332, 1441.

14. Both defendants were served with process on August 29, 2022; as such, this Notice of Removal is timely, pursuant to 28 U.S.C. § 1446(b).

15. Plaintiff's counsel is served with this Notice of Removal simultaneously with this filing, in accordance with the Federal Rules of Civil Procedure.

WHEREFORE, Defendants, John Jiju and 2210310 Ontario, Inc., d/b/a Dynamic Freight Haulers pursuant to 28 U.S.C. § 1441, remove this action from the Circuit Court of Cook County, Illinois to this Court for further proceedings.

Defendants demand trial by jury.

*/s/Shimon B. Kahan*

By: Shimon B. Kahan

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**CERTIFICATE OF SERVICE**

I hereby certify that on September 23, 2022, I electronically filed the foregoing Notice of Removal with the Clerk of the Court using the CM/ECF Next Gen system which will send notification of such filing to the following:

Jonathan D. Treshansky  
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